

AMENDED IN SENATE AUGUST 16, 1999

AMENDED IN SENATE JULY 1, 1999

AMENDED IN ASSEMBLY JUNE 1, 1999

AMENDED IN ASSEMBLY APRIL 28, 1999

AMENDED IN ASSEMBLY APRIL 6, 1999

CALIFORNIA LEGISLATURE—1999–2000 REGULAR SESSION

## ASSEMBLY BILL

**No. 1300**

**Introduced by Assembly Member Rod Pacheco**  
**(Coauthors: Assembly Members Cunneen and Washington)**  
*(Coauthor: Senator Polanco)*

February 26, 1999

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An act to amend Sections 3000 and 3000.1 of, to add Article 1.5 (commencing with Section 3005) to Chapter 8 of Title 1 of Part 3 of, and to add and repeal Section 3007 of Article 1.5 (commencing with Section 3005) of Chapter 8 of Title 1 of Part 3 of, the Penal Code, relating to sex offenders, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

### LEGISLATIVE COUNSEL'S DIGEST

AB 1300, as amended, Rod Pacheco. Sex offenders: parole.

Existing law provides for the parole of sex offenders, as specified.

This bill, the "Sex Offender Containment Act," would provide that those sex offenders guilty of rape, sodomy, oral copulation by force, lewd acts on a child under 14 years of age,

continuous sexual abuse of a child, or rape in concert, as specified, shall be subject to a maximum of 5 years of continuous parole, ~~and in the case of any offense for which. This bill would also provide that if the inmate received a life sentence for commission of certain sex offenses, the period of parole shall be for the remainder of the inmate's life 5 years, which could be extended upon specified conditions for an additional 5-year period. The~~

The bill would also (1) provide for the intensive parole supervision of specified sex offenders by the Department of Corrections; (2) subject to legislative appropriation of necessary funds, provide for a specialized sex offender treatment pilot program for specified inmates from January 1, 2000, to January 1, 2006; (3) provide for reports from the Department of Corrections and Department of Mental Health by September 1, 2000, to the Legislature regarding sexually violent predators; (4) appropriate \$4,500,000 to the Department of Corrections for the purpose of implementing the provisions of this bill during the 1999–2000 fiscal year, to be offset by the expenditure of up to \$200,000 in reimbursements; and (5) appropriate \$90,000 to the State Department of Mental Health for the purpose of implementing the provisions of the bill during the 1999–2000 fiscal year.

This bill would declare that it is to take effect immediately as an urgency statute.

Vote: <sup>2</sup>/<sub>3</sub>. Appropriation: yes. Fiscal committee: yes. State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. This act shall be known and may be cited  
2 as the “Sex Offender Containment Act.”

3 SEC. 2. The Legislature finds and declares the  
4 following:

5 (a) About half of the 7,300 adult sex offenders now  
6 under state parole supervision are considered to pose a  
7 high risk of committing new sex crimes and other violent  
8 acts.

1 (b) Very few of these offenders have received any  
2 treatment while in prison to curb their pattern of  
3 criminal activities, and only a fraction receive intensive  
4 supervision, treatment, and control after they are  
5 released into the community.

6 (c) Two out of three fail on parole by committing new  
7 crimes or parole violations.

8 (d) In light of the above concerns, the implementation  
9 of a strategy of “containment” of high-risk adult sex  
10 offenders is necessary.

11 (e) This containment strategy would include longer  
12 and more intensive supervision of high-risk adult sex  
13 offenders released on parole, and pre and post release  
14 treatment programs to help control the behavior of  
15 habitual sexual offenders.

16 (f) Containment is an approach intended to prevent  
17 a sex offender who has been released on parole from  
18 committing new crimes by placing the offender in a  
19 “triangle” of supervision surrounded by the parole agent,  
20 and a treatment provider.

21 (g) The containment approach emphasizes  
22 collaboration between the parole agent and treatment  
23 provider, making the safety of the community and past  
24 sex crime victims a high priority, and calls for  
25 individualized case management of sex offenders that  
26 addresses the specific supervision, treatment, and  
27 controls needed to reintegrate them safely in the  
28 community.

29 (h) In summary, the benefits of the containment of sex  
30 offenders would be improved public safety, including a  
31 reduction in new crimes and parole violations by sex  
32 offenders on parole; better use of state parole resources  
33 with more intense efforts for a longer period of time to  
34 supervise high-risk offenders and less focus on low-risk  
35 offenders; more and better information for parole agents  
36 to identify the sex offenders who pose the greatest risk to  
37 the public and impose appropriate conditions of parole to  
38 reduce the risk; better use of parole outpatient clinic  
39 resources with more focus on assessment and  
40 management of seriously mentally ill offenders; and

1 significant long-term net savings to the state and local  
2 government potentially in the tens of millions of dollars  
3 annually, due primarily to lower costs for the prison and  
4 mental hospital systems, the criminal justice system, and  
5 for assistance to crime victims.

6 SEC. 3. Section 3000 of the Penal Code is amended to  
7 read:

8 3000. (a) (1) The Legislature finds and declares that  
9 the period immediately following incarceration is critical  
10 to successful reintegration of the offender into society and  
11 to positive citizenship. It is in the interest of public safety  
12 for the state to provide for the supervision of and  
13 surveillance of parolees, including the judicious use of  
14 revocation actions, and to provide educational,  
15 vocational, family and personal counseling necessary to  
16 assist parolees in the transition between imprisonment  
17 and discharge. A sentence pursuant to Section 1168 or  
18 1170 shall include a period of parole, unless waived, as  
19 provided in this section.

20 (2) The Legislature finds and declares that it is not the  
21 intent of this section to diminish resources allocated to the  
22 Department of Corrections for parole functions for which  
23 the department is responsible. It is also not the intent of  
24 this section to diminish the resources allocated to the  
25 Board of Prison Terms to execute its duties with respect  
26 to parole functions for which the board is responsible.

27 (3) The Legislature finds and declares that diligent  
28 effort must be made to ensure that parolees are held  
29 accountable for their criminal behavior, including, but  
30 not limited to, the satisfaction of restitution fines and  
31 orders.

32 (4) Any finding made pursuant to Article 4  
33 (commencing with Section 6600) of Chapter 2 of Part 2  
34 of Division 6 of the Welfare and Institutions Code, that a  
35 person is a sexually violent predator shall not toll,  
36 discharge, or otherwise affect that person's period of  
37 parole.

38 (b) Notwithstanding any provision to the contrary in  
39 Article 3 (commencing with Section 3040) of this chapter,  
40 the following shall apply:

(1) At the expiration of a term of imprisonment of one year and one day, or a term of imprisonment imposed pursuant to Section 1170 or at the expiration of a term reduced pursuant to Section 2931, if applicable, the inmate shall be released on parole for a period not exceeding three years, unless the parole authority for good cause waives parole and discharges the inmate from custody of the department.

(2) In the case of any inmate sentenced under Section 1168 or any inmate sentenced for a violation of paragraph (3), (4), (5), (6), (16), or (19) of subdivision (c) of Section 667.5, the period of parole shall not ~~exceed five years, and in the case of any offense for which the inmate has received a life sentence, the period of parole shall be for the remainder of the inmate's life.~~ *This exceed five years. This* subdivision shall also be applicable to inmates who committed crimes prior to July 1, 1977, to the extent specified in Section 1170.2.

*(3) In the case of any offense for which the inmate has received a life sentence pursuant to Section 667.61, the period of parole shall be five years. Upon the request of the Department of Corrections, and on the grounds that the paroled inmate may pose a substantial danger to public safety, the Board of Prison Terms shall conduct a hearing to determine if the parolee shall be subject to a single additional five-year period of parole. The board shall conduct the hearing pursuant to the procedures and standards governing parole revocation. The request for parole extension shall be made no less than 180 days prior to the expiration of the initial five-year period of parole.*

~~(3)~~

(4) The parole authority shall consider the request of any inmate regarding the length of his or her parole and the conditions thereof.

~~(4)~~

(5) Upon successful completion of parole, or at the end of the maximum statutory period of parole specified for the inmate under paragraph (1) or (2), as the case may be, whichever is earlier, the inmate shall be discharged from custody. The date of the maximum statutory period

1 of parole under this subdivision and paragraphs (1) and  
2 (2) shall be computed from the date of initial parole and  
3 shall be a period chronologically determined. Time  
4 during which parole is suspended because the prisoner  
5 has absconded or has been returned to custody as a parole  
6 violator shall not be credited toward any period of parole  
7 unless the prisoner is found not guilty of the parole  
8 violation. However, in no case, except as provided in  
9 Section 3064, may a prisoner subject to three years on  
10 parole be retained under parole supervision or in custody  
11 for a period longer than four years from the date of his or  
12 her initial parole, and, except as provided in Section 3064,  
13 in no case may a prisoner subject to five years on parole  
14 be retained under parole supervision or in custody for a  
15 period longer than seven years from the date of his or her  
16 initial parole.

17 ~~(5)~~

18 (6) The Department of Corrections shall meet with  
19 each inmate at least 30 days prior to his or her good time  
20 release date and shall provide, under guidelines specified  
21 by the parole authority, the conditions of parole and the  
22 length of parole up to the maximum period of time  
23 provided by law. The inmate has the right to  
24 reconsideration of the length of parole and conditions  
25 thereof by the parole authority. The Department of  
26 Corrections or the Board of Prison Terms may impose as  
27 a condition of parole that a prisoner make payments on  
28 the prisoner's outstanding restitution fines or orders  
29 imposed pursuant to subdivision (a) or (c) of Section  
30 13967 of the Government Code, as operative prior to  
31 September 28, 1994, or subdivision (b) or (f) of Section  
32 1202.4.

33 ~~(6)~~

34 (7) For purposes of this chapter, the Board of Prison  
35 Terms shall be considered the parole authority.

36 ~~(7)~~

37 (8) The sole authority to issue warrants for the return  
38 to actual custody of any state prisoner released on parole  
39 rests with the Board of Prison Terms, except for any  
40 escaped state prisoner or any state prisoner released prior

1 to his or her scheduled release date who should be  
2 returned to custody, and Section 3060 shall apply.

3 SEC. 4. Section 3000.1 of the Penal Code is amended  
4 to read:

5 3000.1. (a) In the case of any inmate sentenced  
6 under Section 1168 for any offense of first or second  
7 degree murder with a maximum term of life  
8 imprisonment or in the case of any inmate sentenced  
9 under Section 667.61, the period of parole, if parole is  
10 granted, shall be the remainder of the inmate's life.

11 (b) Notwithstanding any other provision of law, when  
12 any person referred to in subdivision (a) has been  
13 released on parole from the state prison, and has been on  
14 parole continuously for seven years in the case of any  
15 person imprisoned for first degree murder, and five years  
16 in the case of any person imprisoned for second degree  
17 murder, rape, or child molestation, since release from  
18 confinement, the board shall, within 30 days, discharge  
19 that person from parole, unless the board, for good cause,  
20 determines that the person will be retained on parole.  
21 The board shall make a written record of its  
22 determination and transmit a copy ~~thereof~~ *of it* to the  
23 parolee.

24 (c) In the event of a retention on parole, the parolee  
25 shall be entitled to a review by the board each year  
26 thereafter.

27 (d) There shall be a hearing as provided in Sections  
28 3041.5 and 3041.7 within 12 months of the date of any  
29 revocation of parole to consider the release of the inmate  
30 on parole, and notwithstanding the provisions of  
31 paragraph (2) of subdivision (b) of Section 3041.5, there  
32 shall be annual parole consideration hearings thereafter,  
33 unless the person is released or otherwise ineligible for  
34 parole release. The panel or board shall release the person  
35 within one year of the date of the revocation unless it  
36 determines that the circumstances and gravity of the  
37 parole violation are such that consideration of the public  
38 safety requires a more lengthy period of incarceration or  
39 unless there is a new prison commitment following a  
40 conviction.

(e) The provisions of Section 3042 shall not apply to any hearing held pursuant to this section.

SEC. 5. Article 1.5 (commencing with Section 3005) is added to Chapter 8 of Title 1 of Part 3 of the Penal Code, to read:

Article 1.5. Intensive Parole Supervision of Sex Offenders

3005. (a) The Department of Corrections, to the maximum extent practicable and feasible, shall ensure, by July 1, 2001, that all parolees under active supervision it deems to pose a high risk to the public of committing violent sex crimes shall be placed on an intensive and specialized parole supervision caseload.

(b) Any parolee who had participated in a pilot program providing sex offender treatment while the parolee was an inmate in the state prison, as provided in Section 3007, shall be placed on an intensive and specialized parole supervision caseload.

(c) The department shall accomplish the requirements of this section as follows:

(1) By redirecting part of the staff resources now used for the supervision of those parolees it classifies as posing a relatively lesser risk to public safety, including, if the department determines it is necessary, by putting the lower-risk parolees on a banked caseload immediately upon parole or after an initial period of active supervision pursuant to which the parolee would no longer be under active supervision; or

(2) By using a portion of the additional fifteen million five hundred thousand dollars (\$15,500,000) appropriated for the 1999–2000 fiscal year to hire additional parole officers to reduce crime and recidivism and protect the public safety pursuant to Chapter \_\_\_\_\_ 54 of the Statutes of 1999 (Assembly Bill 1535 of the 1999–2000 Regular Session), or, at its discretion, by a combination of both (1) and (2).-

3006. (a) The Department of Corrections, subject to the legislative appropriation of the necessary funds, may



1 establish and operate, after January 1, 2000, a specialized  
2 sex offender treatment program for parolees the  
3 department deems to pose a high risk to the public of  
4 committing violent sex crimes.

5 (b) (1) The program shall be based upon the relapse  
6 prevention model, targeted primarily for the same  
7 offenders receiving more intensive and specialized  
8 supervision under Section 3005, and shall include referral  
9 to specialized services, such as substance abuse  
10 treatment, for offenders needing those specialized  
11 services.

12 (2) Parole agents may conduct relapse prevention  
13 classes as part of the program.

14 (3) The department may include other appropriate  
15 offenders in the treatment program if doing so facilitates  
16 the effectiveness of the treatment program.

17 (c) Except as otherwise required under Section 645,  
18 the department may provide medication treatments for  
19 selected offenders as determined by medical protocols  
20 and only on a voluntary basis and with the offender's  
21 informed consent.

22 (d) The program shall be established with the  
23 assistance and supervision of the staff of the department  
24 primarily by obtaining the services of specially trained sex  
25 offender treatment providers.

26 (e) It is the intent of the Legislature, by the enactment  
27 of this section, to provide the following:

28 (1) That sex offenders who do not have a diagnosed  
29 serious mental disorder, or who do not exhibit signs of  
30 serious mental illness after being released on parole, shall  
31 no longer be referred to Parole Outpatient Clinics  
32 (POCs) operated by the Department of Corrections.

33 (2) That the cessation of the referrals specified in  
34 paragraph (1) shall result in improved and expanded  
35 services for the seriously ill parolees assigned to the POCs  
36 by the department.

37 (f) The department may require persons subject to  
38 this section to pay some or all of the costs associated with  
39 this treatment, subject to the person's ability to pay.  
40 "Ability to pay" means the overall capability of the person

1 to reimburse the costs, or a portion of the costs, of  
2 providing sex offender treatment, and shall include, but  
3 shall not be limited to, consideration of all of the following  
4 factors:

5 (1) Present financial position.

6 (2) Reasonably discernible future financial position.

7 (3) Likelihood that the person shall be able to obtain  
8 employment after the date of parole.

9 (4) Any other factor or factors which may bear upon  
10 the person's financial capability to reimburse the  
11 department for the costs.

12 (g) For purposes of this section, a "specially trained  
13 treatment provider" shall meet all of the following  
14 requirements:

15 (1) He or she shall be a licensed clinical social worker  
16 as defined in Article 4 (commencing with Section 4996)  
17 of Chapter 14 of Division 2 of the Business and Professions  
18 Code; a marriage, family, and child counselor as defined  
19 in Chapter 13 (commencing with Section 4980) of  
20 Division 2 of the Business and Professions Code; a clinical  
21 psychologist, as defined in Section 1316.5 of the Health  
22 and Safety Code; or a physician and surgeon engaged in  
23 the practice of psychiatry.

24 (2) He or she shall have a minimum of 1,000 hours of  
25 clinical experience in the area of assessment and  
26 treatment of sex offenders and 40 hours of documented  
27 continuing education hours in sex offender treatment.  
28 Required training shall include training in the following:  
29 personality theory and disorders; etiology of sexual  
30 deviance; sexual arousal, assessment, and reconditioning;  
31 social competency training, relapse prevention, and  
32 cognitive restructuring therapy; culturally specific  
33 treatment needs; treatment of special needs clients;  
34 pharmacological therapy; victimology; state sexual abuse  
35 statutes; and ethics and professional standards.  
36 Coursework completed as part of graduate studies may  
37 be credited towards meeting certification standards.  
38 Certification as to completion of the coursework shall be  
39 provided by the college or university at which the  
40 coursework was undertaken.

1 (3) Two letters of reference from professionals who  
2 can attest to the applicant's experience in counseling sex  
3 offenders.

4 3007. (a) The Department of Corrections, subject to  
5 the legislative appropriation of the necessary funds, may  
6 establish and operate, after January 1, 2000, a specialized  
7 sex offender treatment pilot program for inmates the  
8 department deems to pose a high risk to the public of  
9 committing violent sex crimes.

10 (b) (1) The program shall be based upon the relapse  
11 prevention model and shall include referral to specialized  
12 services, such as substance abuse treatment, for offenders  
13 needing those specialized services.

14 (2) Except as otherwise required under Section 645,  
15 the department may provide medication treatments for  
16 selected offenders as determined by medical protocols  
17 and only on a voluntary basis and with the offender's  
18 informed consent.

19 (c) (1) The program shall be targeted primarily at  
20 adult sex offenders who meet the following conditions:

21 (A) The offender is within two years of being released  
22 on parole.

23 (B) The offender has been subject to a clinical  
24 assessment. This shall include, but not be limited to,  
25 assessment of treatment readiness, sexual history and  
26 pathology, predisposition to reoffend, and other factors  
27 pertinent to the offender's amenability to treatment and  
28 risk of reoffense.

29 (C) A review of the offender's criminal history  
30 indicates that the offender poses a high risk of committing  
31 new sex offenses upon his or her release on parole.

32 (D) The offender, based on his or her clinical  
33 assessment, may be amenable to treatment.

34 (2) The department may include other appropriate  
35 offenders in the treatment program if doing so facilitates  
36 the effectiveness of the treatment program.

37 (d) The program under this section shall be  
38 established with the assistance and supervision of the staff  
39 of the department primarily by obtaining the services of  
40 specially trained sex offender treatment providers.

1 (e) (1) The program under this section, upon full  
2 implementation, shall provide for the treatment of 500  
3 adult sex offenders at any given time.

4 (2) To the maximum extent that is practicable and  
5 feasible, offenders participating in the pilot program shall  
6 be held in a separate portion of a prison facility  
7 segregated from any nonsex offenders held at the same  
8 prison, and treatment in the pilot program shall be  
9 provided in program space segregated to the maximum  
10 extent that is ~~practical~~ *practicable* and feasible from  
11 program space for any nonsex offenders held at the same  
12 prison.

13 (f) Offenders participating in the pilot program under  
14 this section shall be subject to referral by the director to  
15 the Department of Mental Health for commitment  
16 pursuant to Article 4 (commencing with Section 6600) of  
17 Chapter 2 of Part 2 of Division 6 of the Welfare and  
18 Institutions Code. The referral package for any  
19 participant in the pilot program shall include a summary  
20 of the offender's treatment participation and progress in  
21 the program, and may include a recommendation as to  
22 whether or not the offender qualifies as a sexually violent  
23 predator pursuant to Article 4 (commencing with Section  
24 6600) of Chapter 2 of Part 2 of Division 6 of the Welfare  
25 and Institutions Code. This information will be made  
26 available to State Department of Mental Health  
27 evaluators.

28 (g) All offenders participating in the pilot program  
29 shall, upon their release on parole, be subject to intense  
30 and specialized parole supervision as provided in Section  
31 3005, *and* continued participation in a sex offender  
32 treatment program as provided under Section 3006.

33 (h) (1) Before the pilot program is implemented, the  
34 State Department of Mental Health, in consultation with  
35 the Department of Corrections, shall develop a program  
36 evaluation methodology. The evaluation methodology  
37 must be capable of determining whether the effects of  
38 the interventions provided in this pilot program are of  
39 sufficient magnitude to justify their expansion to  
40 additional incarcerated sex offenders. The methodology

1 shall specify the minimum sample size required, the ~~date~~  
2 *data* element to be collected, the data collective devices  
3 that will be needed to evaluate the program, and  
4 appropriate control groups and followup regarding both  
5 those offenders receiving the pilot project's interventions  
6 and those offenders in the control group.

7 (2) The Department of Mental Health, by January 1,  
8 2005, shall provide a preliminary report evaluating the  
9 pilot program to the fiscal and public safety policy  
10 committees of both houses of the Legislature, and to the  
11 Joint Legislative Budget Committee.

12 (3) The report shall initially evaluate if the program  
13 under this section is operating effectively, is having a  
14 positive clinical effect on participating sex offenders, and  
15 is reducing recidivism.

16 (4) In conducting its evaluation, the Department of  
17 Mental Health shall consider the effects of treatment of  
18 offenders while in prison and while subsequently on  
19 parole.

20 (5) By January 1, 2008, the Department of Mental  
21 Health shall advise the Legislature as to whether the  
22 program should be continued, expanded, or ended based  
23 upon its cost effectiveness for the state.

24 (i) For purposes of this section, a "specially trained  
25 treatment provider" shall meet all of the following  
26 requirements:

27 (1) He or she shall be a licensed clinical social worker  
28 as defined in Article 4 (commencing with Section 4996)  
29 of Chapter 14 of Division 2 of the Business and Professions  
30 Code; a marriage, family, and child counselor as defined  
31 in Chapter 13 (commencing with Section 4980) of  
32 Division 2 of the Business and Professions Code; a clinical  
33 psychologist, as defined in Section 1316.5 of the Health  
34 and Safety Code; or a physician and surgeon engaged in  
35 the practice of psychiatry.

36 (2) He or she shall have a minimum of 1,000 hours of  
37 clinical experience in the area of assessment and  
38 treatment of sex offenders and 40 hours of documented  
39 continuing education hours in sex offender treatment.  
40 Required training shall include the following: personality

1 theory and disorders; etiology of sexual deviance; sexual  
2 arousal, assessment, and reconditioning; social  
3 competency training, relapse prevention, and cognitive  
4 restructuring therapy; culturally specific treatment  
5 needs; treatment of special needs clients;  
6 pharmacological therapy; victimology; state sexual abuse  
7 statutes; and ethics and professional standards.  
8 Coursework completed as part of graduate studies may  
9 be credited towards meeting certification standards.  
10 Certification as to completion of the coursework shall be  
11 provided by the college or university at which the  
12 coursework was undertaken.

13 (3) Two letters of reference from professionals who  
14 can attest to the applicant's experience in counseling sex  
15 offenders.

16 (j) This section shall remain in effect only until  
17 January 1, 2006, and as of that date is repealed, unless a  
18 later enacted statute, that is enacted before January 1,  
19 2006, deletes or extends that date.

20 SEC. 6. The Department of Corrections and the  
21 Department of Mental Health shall report to the  
22 Legislature by September 1, 2000, regarding the staffing,  
23 personnel, and statutory authority, if any, needed to  
24 ensure that background reports on any offender who is  
25 referred by the Department of Corrections to the  
26 Department of Mental Health for commitment as a  
27 sexually violent predator pursuant to Article 4  
28 (commencing with Section 6000) of Chapter 2 of Part 2  
29 of Division 6 of the Welfare and Institutions Code, but  
30 who is not committed to any state mental hospital as a  
31 sexually violent predator, are prepared on a timely basis  
32 and made available to parole agents who must supervise  
33 the offender in the community.

34 SEC. 7. The sum of four million five hundred  
35 thousand dollars (\$4,500,000) from the General Fund is  
36 hereby appropriated to the Department of Corrections  
37 for the purpose of implementing this act during the  
38 1999–2000 fiscal year, and shall be offset by the  
39 expenditure of up to two hundred thousand dollars  
40 (\$200,000) in reimbursements, and the sum of ninety

1 thousand dollars (\$90,000) from the General Fund is  
2 hereby appropriated to the State Department of Mental  
3 Health for the purpose of implementing this act during  
4 the 1999–2000 fiscal year.

5 SEC. 8. It is the intent of the Legislature that nine  
6 million dollars (\$9,000,000) in expenditure authority shall  
7 be provided for the programs established in this act in the  
8 2000–01 fiscal year so that these programs can be fully  
9 implemented.

10 SEC. 9. This act is an urgency statute necessary for the  
11 immediate preservation of the public peace, health, or  
12 safety within the meaning of Article IV of the  
13 Constitution and shall go into immediate effect. The facts  
14 constituting the necessity are:

15 Thousands of adult sex offenders are being released  
16 each year to state parole supervision who are deemed to  
17 pose a high risk of committing new sex crimes and other  
18 violent acts. Very few of these offenders are receiving  
19 adequate parole supervision, few receive any treatment  
20 while in prison to curb their pattern of criminal activities,  
21 and only a fraction receive intensive supervision,  
22 treatment, and control after they are released into the  
23 community. In order to address these significant public  
24 safety concerns, it is essential that this act take effect  
25 immediately.

